BEFORE THE

BOARD OF VOCATIONAL NURSING AND PSYCHIATIRC TECHNICIANS DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA

In the Matter of the Petition for Modification of Probation of:

OAH No. 2010090304

APRIL ARENTZ,

LVN License No. VN 238662

Petitioner.

DECISION

This matter was heard by a quorum of the Board of Vocational Nursing and Psychiatric Technicians on September 15, 2010, in Los Angeles, California. Administrative Law Judge Humberto Flores from the Office of Administrative Hearings presided.

Langston Edwards, Deputy Attorney General, represented the Attorney General.

April Arentz (Petitioner) appeared personally and represented herself.

Evidence was received and the matter was submitted for decision. The Board of Vocational Nursing and Psychiatric Technicians (Board) finds as follows:

FACTUAL FINDINGS

- 1. On April 23, 2007, Petitioner filed an application with the Board to obtain a Vocational Nurse License. The application was filed under the name April Dawn Soltani-Casey. The Board denied the application and Petitioner appealed.
- 2. On April 11, 2008, the Executive Officer of the Board made and filed a Statement of Issues requesting that the Board deny the application based on a conviction for misdemeanor Welfare Fraud in 1995, and a conviction for driving under the influence in 1999. In addition, the Statement of Issues alleged that Petitioner was in possession of methamphetamine in 2004.

- 3. By Decision adopting a Stipulated Settlement and Disciplinary Order in Case No. 2006-2172, effective November 28, 2008, the Board issued a Vocational Nurse License to Petitioner, which was immediately revoked. However, the order of revocation was stayed and Petitioner was placed on probation for three (3) years on certain conditions.
- 4. On or about June 14, 2010, Petitioner filed a Petition for Modification of Probation with the Board. Petitioner is asking the Board to remove condition number 7, which, inter alia, prohibits Petitioner form working in a nurses' registry; and condition number 15, which directs Petitioner to submit to random drug testing.

5. Condition number 7 states:

During probation, Respondent shall work in her licensed capacity in the State of California. This practice shall consist of no less than six (6) continuous months and of no less than twenty (20) hours per week.

While on probation, Respondent shall not work for a nurses' registry or in any private duty position, a temporary nurse placement agency, or as an instructor in a Board approved continuing education course except as approved, in writing, by the Board. Respondent shall work only on a regularly assigned, identified and predetermined work site(s) and shall not work in float capacity except as approved in writing by the Board

6. Condition number 15 states:

Respondent shall immediately submit to biological fluid testing, at Respondent's cost, upon request by the Board or its designee. There will be no confidentiality in test results; positive test results will be immediately reported to the Board and the Respondent's current employer.

7. Petitioner has made strides in rehabilitation, which includes a substantial participation in Alcoholics Anonymous (AA). She has a significant support system consisting of friends, family, her sponsor, and her fellow participants in AA. She is currently in her sixth year of sobriety. Her sobriety is evidenced by the random drug tests she has passed pursuant to condition number 15 of her probationary LVN license. Petitioner has completed 60 hours of continuing education courses and is current in CPR and first aid training. It is also noted that respondent has not suffered a relapse even though she has experienced numerous stressors over the past few years, including the death of her parents and her appointment as conservator for her son.

LEGAL CONCLUSIONS

1. Cause exists under Business and Professions Code section 2878.7, to grant in part, the Petition for Modification of Probation relating to Condition number 7 as follows:

(a) Condition number 7, shall be modified as follows:

During probation, [Petitioner] shall work in her licensed capacity in the State of California. This practice shall consist of no less than six (6) continuous months and of no less than twenty (20) hours per week.

While on probation, Petitioner shall not work in any private duty position, a temporary nurse placement agency, or as an instructor in a Board approved continuing education course except as approved, in writing, by the Board. Petitioner shall be allowed to work for a nurses' registry in a facility but is prohibited from working in a private duty position. In the event that Petitioner accepts a position in a nurses' registry, Petitioner is required to inform said nurses' registry of her probationary status

2. While Petitioner has made strides in rehabilitation, the Board remains concerned over her past drug use, therefore, cause does not exist under Business and Professions Code section 2878.7, to grant Petitioner's request to modify condition number 15.

ORDER

1. The Petition for Modification of Probation, submitted by April Arentz, is granted in part. Condition number 7 is modified as follows:

During probation, Petitioner shall work in her licensed capacity in the State of California. This practice shall consist of no less than six (6) continuous months and of no less than twenty (20) hours per week.

While on probation, Petitioner shall not work in any private duty position, a temporary nurse placement agency, or as an instructor in a Board approved continuing education course except as approved, in writing, by the Board. Petitioner shall be allowed to work for a nurses' registry in a facility but is prohibited from working in a private duty position. In the event that Petitioner accepts a position in a nurses' registry, Petitioner is required to inform said nurses' registry of her probationary status

2. Petitioner's request to modify Condition number 15 is denied.

DATED: December 9, 2010

EFFECTIVE DATE: December 24, 2010

John Vertido, L.V.N., President Board of Vocational Nursing and Psychiatric Technicians

BEFORE THE DIRECTOR 1 DEPARTMENT OF CONSUMER AFFAIRS 2 BUREAU OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS STATE OF CALIFORNIA 3 4 In the Matter of the Statement of Issues Case No. VN-2006-2172 5 Against: 6 APRIL DAWN SOLTANI-CASEY 11356 Barnwall Street Norwalk, CA 90650 8 Applicant for Vocational Nurse License 9 Respondent. 10 11 **DECISION** 12 13 The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the 14 Director of the Department of Consumer Affairs¹ as the final Decision in the above-entitled matter. 15 16 17 This Decision shall become effective on November 28, 2008. 18 IT IS SO ORDERED this 24th day of October, 2008 19 20 21 22 23 Deputy Director, Board/Bureau Support Department of Consumer Affairs 24 25 26 27 ¹Pursuant to Business and Professions Code section 101.1(b), on July 1, 2008, the director became vested with the 28

¹Pursuant to Business and Professions Code section 101.1(b), on July 1, 2008, the director became vested with the duties, powers, purposes, responsibilities, and jurisdiction of the Board of Vocational Nursing and Psychiatric Technicians.

1	EDMUND G. BROWN JR., Attorney General		
2	of the State of California GREGORY J. SALUTE		
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7	Attorneys for Complainant		
8	BEFORE THE		
9	BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS DEPARTMENT OF CONSUMER AFFAIRS		
10	STATE OF CALI	IFORNIA	
11	In the Matter of the Statement of Issues Against:	Case No. VN-2006-2172	
12	APRIL DAWN SOLTANI-CASEY		
13	11356 Barnwall St. Norwalk, CA 90650	STIPULATED SETTLEMENT AND DISCIPLINARY ORDER	
14	Vocational Nurse License Application	DISCIPLINARY ORDER	
15	Respondent.		
16	IT IS HEREBY STIPULATED AND AGREED by and between the parties to the		
17	above-entitled proceedings that the following matters are true:		
18	<u>PARTIES</u>		
19	1. Teresa Bello-Jones, J.D., M.S.N., R.N. (Complainant) is the Executive		
20	Officer of the Board of Vocational Nursing and Psychiatric Technicians. She brought this action		
21	solely in her official capacity and is represented in this matter by Edmund G. Brown Jr., Attorney		
22	General of the State of California, by Kimberlee D. King, Deputy Attorney General.		
23	2. Respondent April Dawn Soltani-Casey a.k.a. April Dawn Soltani		
24	(Respondent) is representing herself in this proceeding and has chosen not to exercise her right to		
25	be represented by counsel.		
26	3. On or about April 23, 2007, Respondent filed an application dated April 1,		
27	2007, with the Board of Vocational Nursing and Psychiatric Technicians to obtain a Vocational		
28	Nurse License Application.		

BOARD SUNSET

4. The parties understand and agree that, pursuant to Business and Professions Code sections 101.1 (b) and 150, if the Board becomes inoperative or is repealed, the Department of Consumer Affairs shall succeed to and is vested with all the duties, powers, purposes, responsibilities and jurisdiction not otherwise repealed or made inoperative of that board and its executive officer; that the department is under the control of the Director of Consumer Affairs; and that any reference to the inoperative or repealed Board in this stipulation and disciplinary order shall be understood to mean the Director of Consumer Affairs.

JURISDICTION

5. Statement of Issues No. VN-2006-2172 was filed before the Board of Vocational Nursing and Psychiatric Technicians (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Statement of Issues and all other statutorily required documents were properly served on Respondent on April 23, 2008. Respondent timely filed her Notice of Defense contesting the Statement of Issues. A copy of Statement of Issues No. VN-2006-2172 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

- 6. Respondent has carefully read, and understands the charges and allegations in Statement of Issues No. VN-2006-2172. Respondent has also carefully read, and understands the effects of this Stipulated Settlement and Disciplinary Order.
- 7. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Statement of Issues; the right to be represented by counsel at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.
- 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

- 9. Respondent admits the truth of each and every charge and allegation in Statement of Issues No. VN-2006-2172.
- 10. Respondent agrees that her Vocational Nurse License Application is subject to denial and she agrees to be bound by the Board of Vocational Nursing and Psychiatric Technicians (Board) 's imposition of discipline as set forth in the Disciplinary Order below.

CONTINGENCY

- Nursing and Psychiatric Technicians. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Vocational Nursing and Psychiatric Technicians may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.
- 12. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.
- 13. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Respondent April Dawr(Soltani-Casey)shall be issued a Vocational Nurse License, which shall be immediately revoked. The revocation will be stayed and the Respondent placed on three (3) years probation on the following terms and conditions.

1. Obey All Laws. Respondent shall obey all federal, state and local laws,				
including all statutes and regulations governing the license. Respondent shall submit, in writing,				
a full and detailed account of any and all violations of the law to the Board within five (5) days of				
occurrence. To ensure compliance with this term, respondent shall submit two (2) completed				
fingerprint cards and the applicable fingerprint processing fees to the Board within thirty (30)				
days of the effective date of the decision, unless the Board determines that fingerprint cards were				
already submitted by Respondent as part of her licensure application process effective July 1,				
1996. Respondent shall also submit a recent 2" x 2" photograph of Female within thirty (30)				
days of the effective date of the decision.				

2. Compliance With Probation Program And Quarterly Report Requirements. Respondent shall fully comply with terms and conditions of the probation established by the Board and shall cooperate with the representatives of the Board in its monitoring and investigation of the Respondent's compliance with the Probation Program.

Respondent shall submit quarterly reports, under penalty of perjury, in a form required by the Board. The reports shall certify and document compliance with all the conditions of probation.

- 3. Notification of Address And Telephone Number Change(s).

 Respondent shall notify the Board, in writing, within five (5) days of a change of residence or mailing address, of her new address and any change in her work and/or home telephone numbers.
- 4. **Notification of Residency or Practice Outside of State.** Respondent shall notify the Board, in writing, within five (5) days, if she leaves California to reside or practice in another state.

Respondent shall notify the Board, in writing, within five (5) days, upon her return to California.

The period of probation shall not run during the time Respondent is residing or practicing outside California.

5. **Notification to Employer(s).** When currently employed or applying for

employment in any capacity in any health care profession, Respondent shall notify her employer of the probationary status of Respondent's license. This notification to the Respondent's current health care employer shall occur no later than the effective date of the Decision. Respondent shall notify any prospective health care employer of her probationary status with the Board prior to accepting such employment. This notification shall be by providing the employer or prospective employer with a copy of the Board's Accusation and Disciplinary Decision.

The Health Care Profession includes, but is not limited to: Licensed Vocational Nurse, Psychiatric Technician, Registered Nurse, Medical Assistant, Paramedic, Emergency Medical Technician, Certified Nursing Assistant, Home Health Aide, and all other ancillary technical health care positions.

Respondent shall cause each health care employer to submit quarterly reports to the Board. The reports shall be on a form provided by the Board, shall include a performance evaluation and such other information as may be required by the Board.

Respondent shall notify the Board, in writing, within five (5) days of any change in employment status. Respondent shall notify the Board, in writing, if she is terminated from any nursing or health care related employment with a full explanation of the circumstances surrounding the termination. Correction: Alex 708.

- 6. Interviews/meetings With Board Representative(s). Respondent, during the period of probation, shall appear in person at interviews/meetings as directed by the Board, or its designated representatives.
- 7. **Employment Requirements And Limitations.** During probation, Respondent shall work in her licensed capacity in the State of California. This practice shall consist of no less than six (6) continuous months and of no less than twenty (20) hours per week.

While on probation, Respondent shall not work for a nurses' registry or in any private duty position, a temporary nurse placement agency, as a faculty member in an accredited or approved school of nursing, or as an instructor in a Board approved continuing education course except as approved, in writing, by the Board. Respondent shall work only on a regularly assigned, identified and predetermined work site(s) and shall not work in a float capacity except

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8. Supervision Requirements. Respondent shall obtain prior approval from the Board, before commencing any employment, regarding the level of supervision provided to Respondent while employed as a licensed vocational nurse.

Respondent shall not function as a charge nurse (i.e., work in any healthcare setting as the person who oversees or directs licensed vocational nurses, psychiatric technicians, certified nursing assistants or unlicensed assistive personnel) during the period of probation except as approved, in writing, by the Board.

9. Completion of Educational Course(s). Respondent, at her own expense, shall enroll and successfully complete a course(s) substantially related to the violation(s) no later than the end of the first year of probation; or Respondent shall be suspended from practice, until she has enrolled in and has successfully completed the specified coursework.

The coursework shall be in addition to that required for license renewal. The Board shall notify Respondent of the course content and number of contact hours required. Within thirty (30) days of the Board's written notification of assigned coursework, Respondent shall submit a written plan to comply with this requirement. The Board shall approve such plan prior to enrollment in any course of study.

Upon successful completion of the course, Respondent shall cause the instructor to furnish proof to the Board within thirty (30) days of course completion.

Maintenance of Valid License. Respondent shall, at all times while on 10. probation, maintain an active current license with the Board, including any period during which suspension or probation is tolled.

Should respondent's license, by operation of law or otherwise, expire, upon renewal or reinstatement respondent's license shall be subject to any and all terms of this probation not previously satisfied. The Alsolo

Violation of Probation. If Respondent violates the conditions of her 11. probation, the Board after giving Respondent notice and an opportunity to be heard, may set aside the stay order and impose the stayed discipline revocation of the Respondent's license. If

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during the period of probation, an accusation or petition to revoke has been filed against the Respondent's license or the Attorney General's Office has been requested to prepare an accusation or petition to revoke probation against the Respondent's license, the probationary period shall automatically be extended and shall not expire until the accusation or petition has been acted upon by the Board. Upon successful completion of probation, the Respondent's license will be fully restored.

- of the effective date of the Decision, Respondent shall begin attendance at a chemical dependency support group (e.g. Alcoholics Anonymous, Narcotics Anonymous, Nurse Support Group). Verified documentation of attendance shall be submitted by Respondent with each quarterly report. Respondent shall continue attendance in such a group for the duration of probation.
- abstain from the personal use or possession of controlled substances, as defined in the California Uniform Controlled Substances Act, and dangerous drugs as defined in Section 4021 and 4022 of the Business and Professions Code, except when lawfully prescribed by a licensed practitioner for a bona fide illness.
- 14. **Abstain From Use of Alcohol.** Respondent shall completely abstain from the use of alcoholic beverages during the period of probation.
- 15. **Submit Biological Fluid Samples.** Respondent shall immediately submit to biological fluid testing, at Respondent's cost, upon request by the Board or its designee. There will be no confidentiality in test results; positive test results will be immediately reported to the Board and the Respondent's current employer.

<u>ACCEPTANCE</u> 1 2 I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the stipulation and the effect it will have on my Vocational Nurse License 3 Application. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, 4 5 knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Vocational Nursing and Psychiatric Technicians. 6 DATED: 6-30-08 7 8 9 Respondent 10 11 **ENDORSEMENT** 12 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully 13 submitted for consideration by the Board of Vocational Nursing and Psychiatric Technicians of 14 15 the Department of Consumer Affairs. 16 DATED: Jugust 12, 2008 17 18 EDMUND G. BROWN JR., Attorney General of the State of California 19 GREGORY J. SALUTE Supervising Deputy Attorney General 20 21 22 23 Deputy Attorney General 24 Attorneys for Complainant 25 26

DOJ Matter ID: LA2008600090 60311331.wpd

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2	of the State of California GREGORY J. SALUTE		
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8	BEFORE THE BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS DEPARTMENT OF CONSUMER AFFAIRS		
10	STATE OF CAL		
11	In the Matter of the Statement of Issues Against:	Case No. VN-2006-2172	
12	APRIL DAWN SOLTANI-CASEY		
13	11356 Barnwall St. Norwalk, CA 90650 Vocational Nurse License Application,	STATEMENT OF ISSUES	
14	Respondent.		
15			
16	Complainant alleges:		
17	<u>PARTIES</u>		
18	1. Teresa Bello-Jones, J.D., M.S.N., R.N. (Complainant) brings this		
19	Accusation solely in her official capacity as the Executive Officer of the Board of Vocational		
20	Nursing and Psychiatric Technicians, Department of Consumer Affairs.		
21	2. On or about April 23, 2007, the Board of Vocational Nursing and		
22	Psychiatric Technicians received Vocational Nurse License Application Number 114115 from		
23	April Dawn Soltani-Casey (Respondent).		
24	On or about April 1, 2007, April Dawn Soltani-Casey certified under penalty of		
25	perjury to the truthfulness of all statements, answers, and representations in the application. The		
26	Board denied the application on October 17, 2007.		
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JURISDICTION

3. This Accusation is brought before the Board of Vocational Nursing and Psychiatric Technicians (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

STATUTORY PROVISIONS

- 4. Section 2866 of the Business and Professions Code (Code) provides, in pertinent part, that the Board of Vocational Nursing and Psychiatric Technicians (Board) may deny a license when it finds that the applicant has committed any acts constituting grounds for denial of licensure under section 480 of that Code.
 - 5. Section 480 states, in pertinent part:
- "(a) A board may deny a license regulated by this code on the grounds that the applicant has one of the following:
- "(1) Been convicted of a crime. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action which a board is permitted to take following the establishment of a conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code.
- "(2) Done any act involving dishonesty, fraud or deceit with the intent to substantially benefit himself or another, or substantially injure another; or
- "(3) Done any act which if done by a licentiate of the business or profession in question, would be grounds for suspension or revocation of license.

The board may deny a license pursuant to this subdivision only if the crime or act is substantially related to the qualifications, functions or duties of the business or profession for which application is made.

. . . .

"(c) A board may deny a license regulated by this code on the ground that the

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FIRST CAUSE FOR DENIAL OF APPLICATION

(Multiple Conviction of Substantially Related Crimes)

- 8. Respondent's application is subject to denial under Code sections 480 subdivision (a)(1), and 2878.5, subdivision (b) and (f) as defined in the California Code of Regulations, title 16, section 2521, in that Respondent was convicted of crimes substantially related to the qualifications, functions and duties of a licensed vocational nurse. The circumstances are as follows:
- a. On or about March 9, 1995, Respondent was convicted of one count of violating Welfare and Institutions Code section 10980, a misdemeanor (Fraud to Obtain Aid) in the Superior Court of California, County of Orange, Case No. 95NF0124B entitled *The People of the State of California v. April Soltani-Casey*.
- b. The circumstances surrounding the conviction are that Respondent failed to report that she had received a reduction in rent while she was receiving AFDC benefits from the State of California.
- c. On or about July 26, 1999, Respondent was convicted of one count of violating Vehicle Code section 23152 (a), a misdemeanor (Driving under the Influence of Alcohol/Drugs) in the Superior Court of California, County of Orange, Case No. 99HM02117 entitled *The People of the State of California v. April Soltani-Casey*.
- d. The circumstances surrounding the conviction are that on April 3, 1999, Respondent willfully and unlawfully drove a vehicle while under the influence of an alcoholic beverage and without a valid driver's license.

SECOND CAUSE FOR APPLICATION

(Possession of a Controlled Substance)

9. Respondent's application is subject to denial under Code section 480 subdivision (a)(3), on the ground of unprofessional conduct for violating section 2878.5, subdivision (a) of the Code and Health and Safety Code section 11173 in that Respondent was in possession of a controlled substance and/or dangerous drug, without a prescription. The circumstances are as follows:

a. On or about May 9, 2004, Respondent was in possession of methamphetamine, a controlled substance and/or dangerous drug, without a prescription.

THIRD CAUSE FOR DENIAL OF APPLICATION

(Possession/Administration of a Controlled Substance)

- 10. Respondent's application is subject to denial under Code section 480 subdivision (a)(3), on the ground of unprofessional conduct for violating section 2878.5, subdivision (a) of the Code and Health and Safety Code section 11173 in that Respondent was in possession of a controlled substance and/or dangerous drug, without a prescription. The circumstances are as follows:
- a. On or about October 17, 2003, Respondent was approached by a Buena Park Police Department officer because Respondent had committed a traffic violation. The officer suspected that Respondent was under the influence of a controlled substance and evaluated her. During this assessment, the officer found methamphetamine inside of a red paper bindle lying on the floor board of Respondent's vehicle. Respondent denied knowledge of the methamphetamine inside of her vehicle, however, by her own admission, she had use methamphetamine three months prior to this incident for approximately two months at an average of 2-3 times a week.

FOURTH CAUSE FOR DENIAL OF APPLICATION

(Concealment of Material Fact in Application)

subdivision (c) and 2878 subdivision (e), in that Respondent concealed material facts in her Application for Licensure. Question No. 7 asked if the applicant had ever been convicted of any offense, including traffic violations. The application directs the applicant to include "misdemeanors and felonies regardless of length of time which has passed since the conviction", any offense for which [the applicant] was "imprisoned" or "placed on probation or fined", any offense in which the "imposition or execution of sentence was suspended", and "record of conviction was expunged or a pardon granted". Notwithstanding these clear instructions, Respondent failed to disclose the convictions set forth in paragraph 8.

FIFTH CAUSE FOR DENIAL OF APPLICATION

(Act Involving Dishonesty, Fraud or Deceit)

12. Respondent's application is subject to denial under Code section 480, subdivision (a)(2) and (c) and 2878.5, subdivision (e) of the Code, in that Respondent committed an act involving dishonesty, fraud or deceit with the intent to substantially benefit herself, as more fully set forth in paragraphs 8 and 11 above.

SIXTH CAUSE FOR DENIAL OF APPLICATION

(Acts Constituting Grounds for Discipline)

13. Respondent's application is subject to denial under sections 480, subdivision (a)(3) of the Code, in that Respondent committed acts which, if committed by a licensed vocational nurse would be grounds for suspension or revocation of the license, as more fully set forth in paragraphs 8, 9, 10, 11, and 12 above.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Vocational Nursing and Psychiatric Technicians issue a decision:

- A. Denying the Application of April Dawn Soltani-Casey for a Vocational Nurse License. April Dawn Soltani-Casey.
 - B. Taking such other and further action as deemed necessary and proper.

DATED: April 11, 2008

TÉRESA BELLO-JONES, J.D., M.S.N., R.N.

Executive Officer

Board of Vocational Nursing and Psychiatric Technicians

Department of Consumer Affairs

State of California Complainant

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